Remarks

The above Amendments and these Remarks are in reply to the Office Action mailed July 27, 2005. Claims 1-18 are presented herewith for consideration.

Objection to Claims 10 and 11

Claims 10 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As discussed hereinafter, it is respectfully submitted that Claim 1 on which Claims 10 and 11 are dependent present patentable subject matter, and it is therefore respectfully requested that the objection to Claims 10 and 11 on the stated grounds be withdrawn.

Rejection of Claims 1-11 Under 35 U.S.C. 112

Claims 1 - 11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. In particular, the Examiner has indicated that the limitation, "...wherein the remote devices do not include remote access software" in Claim 1 was not supported by the application because the application discloses that the remote devices remotely connect with the central server system.

Applicants have clarified Claim 1, and Claims 2-11dependent thereon, by narrowing what the remote devices do not include. In particular, applicants have clarified that, "the remote devices do not include remote access server software or remote control system software." Remote access server (RAS) software, and remote control system (RCS) software are explained in the Background of the Invention at pages 1-4:

> In general, remote access systems allow a "remote" user (from a remote computer) to connect to and access resources on another computer. For example, a user on a mobile computer may connect to and access resources on a home computer via conventional remote access systems. However, prior art remote access systems require special application software to be supplied to both the remote system and the base system. Due to this shortcoming, most prior art remote access systems are limited to devices including substantial computing capabilities in the remote computer. Also, access to another computer via a remote access system is provided using conventional data connection means, typically through a PSTN (public

switched telephone network) connection. That is, a direct connection from the remote computer to the base computer is typically required for security reasons.

Remote access systems can generally be categorized into two types of systems. The first system is generally referred to as a remote access server (RAS) system. A RAS system usually comprises server RAS software residing on a RAS server and client RAS software residing on a "remote" computer. The RAS server is coupled to resources (e.g., printers, files, other nodes) which are remotely accessed by a user of the system. In operation, a user of the remote computer connects to the RAS server via a dial-in telephone connection. Upon connection, the RAS server queries for the user's access credentials (e.g., user name and password). Upon authentication of the user's access credentials, the user is granted access to resources on the RAS server and/or resources on other nodes connected to the RAS server to which the user is authorized access. The RAS software manages the connection process, the authentication process, the access privileges, and the data transfers between the RAS server and the remote computer. RAS systems are also used by commercial service providers, such as Internet Access Providers (ISPs) to allow their customers access into their network resources. . . .

The other type of remote access system is generally referred to as a remote control system (RCS). RCSs allow a remote user to not only access resources on another "host" computer, but also allow the user to control the host computer. RCSs typically display on the remote computer what would normally be displayed on the host computer (known as screen emulation). In this way, the user is able to control the host computer from the remote computer as if the user was directly accessing the host computer. An example of a commercially available RCS product is PC Anywhere™ by Symantec Corp.™. Like RAS systems, RCS allows a remote user to connect via a conventional means, including a telephone connection and via the Internet. Again, special software is required on both nodes.

Thus, Applicants have clarified Claim 1, and Claims 2-11dependent thereon, by narrowing what the remote devices do not include. By narrowing what is not included, it is noted that Claims 1, and Claims 2-11, have been broadened. Applicants respectfully submit that Claim 1 as clarified, and Claims 2-11 dependent thereon, are supported in the specification, and it is respectfully requested that the rejection on these ground be withdrawn.

Rejection of Claims 1-11 Under 35 U.S.C. 101

Claims 1 - 11 are rejected under 35 U.S.C. 101 because the claimed invention lacks patentable utility. In particular, the Examiner has indicated that Claim 1 lacks patentable utility because Claim 1, prior to amendment, was alleged not to be supported by the specification (on the grounds discussed above with respect to the rejection under Section 112, first paragraph).

It is not clear what lack of support under Section 112, first paragraph, has to do with utility under Section 101, nor why a lack of support would result also in a rejection under Section 101 for lack of utility. Nevertheless, it is respectfully submitted that Claim 1, both before and after the clarification, has clear utility, and it is respectfully requested that the rejection on Section 101 grounds be withdrawn.

Rejection of Claims 1-9 and 12-18 Under 35 U.S.C. 102(e)

Claims 1 - 9 and 12 – 18 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. Patent No. 6,757,712 to Bastian ("Bastian"). Applicants respectfully traverse the rejection as follows.

Bastian relates in general to a system for permitting passengers on board an aircraft to send and receive electronic data. The components of the system on board the aircraft include a server having a plurality of nodes to which computer terminals are attached. The computer terminals are laptop or palm-top personal computers belonging to the various passengers on board or fixed terminals within the aircraft. Connected to the server is one or more radios. This permits data to be transferred to a base station using communications network.

By contrast, embodiments of the present invention relate to maintaining secure communications and preventing unwanted access from outside sources. The present invention explains that communications between networked computers are generally protected against unwanted access from outside sources (*e.g.*, hackers, etc.) because the networked computers reside behind a firewall. (Application, page 15, lines 1-9). Likewise, where a computer within the network requests information from outside of the firewall, responses to those requests are generally secure because they were requested from within the firewall. (Application, page 15, lines 9-11).

A problem presented in the prior art, and a problem addressed by the present invention, is how to allow the transfer of information to/from a base computer where the request for information is generated from a remote device outside of the security set up for the base computer. This problem is nowhere contemplated in Bastian, nor are the solutions of the present invention contemplated in Bastian.

The present invention addresses this problem by the base computer 14 intermittently establishing contact with a central server system 12, which server system 12 in turn is in communication with a remote device 16. In operation, the remote device 16 may transmit tasks intended for the base device. These tasks are received by the server system 12 where they are held. When the base device next establishes a connection with the central server system 12, the central server system indicates the request to perform the task(s) from the remote device 12. As communication originates with the base device, security of the base device is maintained.

Referring now to specific claim language, Claims 1-9 each expressly recites features that are nowhere disclosed, taught or suggested in Bastian. For example, Independent Claim 1 recites in part:

> establishing a persistent connection between said central server system and a base computer *in response to intermittent contact from said base computer to said central server system*. (Emphasis added).

Nowhere does Bastian disclose or suggest that communications between a base computer and a central server system are established in response to contact, intermittent or otherwise, from the base computer to the central server system. In Bastian, the communications between the server system and the base stations are initiated by the server system. See, *e.g.*, Col. 7, lines 35-37:

> Connected to the server 20 is one or more radios 60. This permits data to be transferred to base station 90, using communications networks 80.

The Examiner indicated that the above-described claim limitations were shown in Bastian in the "Abstract; Figs. 1, 3; col. 3, lines 4-23; col. 8, lines 1-3." Applicants have carefully reviewed Bastian at these sections and can discern no such disclosure, teaching or suggestion. In fact, the final clause cited by the Examiner, col. 8, lines 1-3 discloses:

> In a further embodiment, data is transmitted from server 20 to base station 90 at intervals based on predetermined periods of time that the aircraft has been in flight.

This language indicates that transmission of data from the server to the based station occurs after the passage of some preset period of time, and not based on contact by the base station to the server.

> Similarly, independent Claim 12, and Claims 13-15 dependent thereon, recite in part:
>
> a server system in operative communication at least one remote device and at least one base computer *responsive to establishment of a respective connection by said base computer and said remote device.* (Emphasis added).

Again, a claim reciting this feature is nowhere disclosed, taught or suggested in Bastian. Bastian discloses a server establishing a connection with a base station. Bastian does not disclose a server responsive to establishment of a connection from a base computer.

> Similarly, independent Claim 16, and Claims 17-18 dependent thereon, recite in part:
>
> an intermediary server coupled to a network and a mobile device, the intermediary server interpreting a task list .... *when the agent on the base device makes itself available for requests by logging into the intermediary server and establishing a connection with the intermediary server.* (Emphasis added).

As discussed above, Bastian has no disclosure, teaching or suggestion of a base device logging into an intermediary server and establishing a connection with the intermediary server.

It is axiomatic that each and every claim limitation must be found in a single prior art reference to support a rejection under §102. *Apple Computer, Inc. v. Articulate Systems, Inc.*, 234 F.3d 14, 20 (Fed. Cir. 2000). Omission of any claimed element, no matter how insubstantial, is grounds for traversing a rejection based on §102. *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542 (Fed. Cir. 1983). As Bastian has no disclosure, teaching or suggestion of a system where communication is initiated by the base device, and as Bastian does not even address the problem to which this solution is directed, it is respectfully submitted that the invention recited in Claims 1-9

and 12-18 is patentable over the cited reference. It is therefore respectfully requested that the rejection of these claims on §102 grounds be withdrawn. If the Examiner maintains the rejection on these grounds, it is respectfully requested that the Examiner specifically point out where the above described claim limitations are found in the cited reference.

Based on the above amendments and these remarks, reconsideration of Claims 1-18 is respectfully requested.

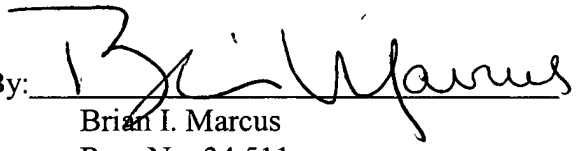
The Examiner's prompt attention to this matter is greatly appreciated. Should further questions remain, the Examiner is invited to contact the undersigned attorney by telephone.

Enclosed is a PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136 for extending the time to respond up to and including today, January 27, 2006.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 501826 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: January 27, 2006

By: 

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